

Acknowledgements

1. This action is responsive to Applicants' amendments received 16 April 2010.
2. This action has been assigned paper number 20100528 for reference purposes only.
3. Claims 1-22 are pending.
4. Claims 1-22 have been examined.
5. Claims 1-22 are allowed herein.

Reasons for Allowance

6. The following is the Examiner's statement of reasons for allowance.
7. Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug* 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore the Examiner must interpret the claimed terms as found on pages 1-15 of the specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings, . . . the inventor's lexicography must prevail . . ." *Id.* Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.
8. The primary reference Carter. (U.S. 2003/0051026) discloses as previously discussed. Carter however does not teach at least the combination of "defining a security perimeter that includes two or more data processing devices in a network" "at least one of the data processing devices being a user client device" and "asserting a policy violation predicate, at the client device, upon an occurrence of a combined event that violates the policy logic, the policy logic violation corresponding to a risk of use of the digital asset outside of the security perimeter.".

Moreover, the missing claimed elements from Carter are not found in a reasonable number of references. Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment in the Carter disclosure because: detecting actions in the kernel of a client device to determine if unauthorized use of an asset on another device is contrary to conventional wisdom in that use of an asset is usually controlled on the device that is attempting to use it..

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA MURDOUGH whose telephone number is (571)270-3270. The Examiner can normally be reached on Monday - Thursday, 7:00 a.m. - 5:00 p.m.

12. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Joshua Murdough
Examiner, Art Unit 3621

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621